

The Honorable Lonny R. Suko

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FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

DEC 02 2009

JAMES R. LARSEN, CLERK  
DEPUTY  
SPOKANE, WASHINGTON

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON  
AT SPOKANE

TECK METALS LTD.,

Plaintiff,

v.

CERTAIN UNDERWRITERS AT LLOYD'S,  
LONDON AND CERTAIN LONDON  
MARKET INSURANCE COMPANIES,

Defendants.

Case No. CV-05-411-LRS

[PROPOSED] ORDER

GRANTING TEMPORARY

ANTI-ANTI-SUIT

INJUNCTION

*The court adopts the  
record of the proceeding  
to day setting forth  
the reasons for  
this order.*

Upon consideration of the Plaintiff Teck Metals Ltd's ("TML's") Motion for Anti-Anti-Suit Injunction ("Motion") and any Opposition thereto, the Court finds it necessary to enter a temporary injunction to preserve its jurisdiction until it has had sufficient time to be more fully advised in the premises. It is therefore

ORDERED that the Court construes TML's Motion as one seeking entry of a temporary restraining order, and so construed, the Motion is GRANTED. It is further

ORDERED that effective until 1:00 p.m. Pacific Time on December 9, 2009, Defendant Certain Underwriters at Lloyd's, London and Certain London Market Insurance Companies ("London Insurers") hereby are ENJOINED:

[PROPOSED] ORDER GRANTING TEMPORARY  
ANTI-ANTI-SUIT INJUNCTION - 1

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1) from applying to any other court for an order, injunction, or any similar relief, that would bar TML from prosecuting this action, or any part of it, in this Court; and

2) to withdraw any motion, pending in any other court at the time this Order is entered, applying for an order, injunction, or any similar relief, that would bar TML from prosecuting this action, or any part of it, in this Court.

THE COURT FURTHER NOTES that it is not the Court's intent by this Order to interfere with any proceeding that may be pending in any other jurisdiction with regard to matters that are also the subject of this litigation, but only to preserve the ability of this Court and of the parties to proceed with this litigation in this jurisdiction.

Dated: 12/2/09

*effective 1 p.m.*



United States District Judge

*Endorses as to date and time.*

**CERTIFICATE OF SERVICE**

I hereby certify that on November 2, 2009, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System, which will send notification of such filing to the following:

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DATED this 2nd day of November, 2009.

/s/ Alexander J. Lathrop

Alexander J. Lathrop